

**CITY OF ALAMEDA
COMMUNITY DEVELOPMENT DEPARTMENT**

ADMINISTRATIVE USE PERMIT

ITEM NO: 3-D

APPLICATION NO: PLN12-0259 – Faction Brewing Co. – 2501 Monarch

**PROJECT
DESCRIPTION:**

The applicant requests a Use Permit and Design Review to allow construction and operation of an outdoor seating area, a grain silo, and replacement of a single door. The outdoor seating area would be 23 feet by 46 feet and located on the ground floor on the west side of the building facing San Francisco. The silo would be placed on the north east side of the building, and would be 28 feet high, which is well below the height of the building. A rear (west facing) door will be replaced with a compatible door. The existing historic door will be stored on site. No change to the doorway opening is proposed. The project also includes construction of some new cyclone fence material and removal of two, non-historic small concrete block sheds.

The building is a contributing structure to the NAS Historic District. The building is also located within the “buffer” zone required by the Biological Opinion. The Biological Opinion establishes criteria for the protection of the endangered Least Tern. The California Least Tern Nesting area is approximately 1,865 feet from the facility.

GENERAL PLAN: Mixed Use

ZONING: M-2 F. Manufacturing with Federal Facilities Overlay.

**ENVIRONMENTAL
DETERMINATION:**

This project is a Class 1 Categorical Exemption and no additional environmental review is necessary pursuant to CEQA Guidelines Section 15301 - Existing Facilities. The proposed changes are also consistent with the Secretary of Interior Standards for Rehabilitation of Historic Resources and the Biological Opinion for the protection of the California Least Tern.

PROJECT PLANNER: Dina Tasini, Contract Planner

PUBLIC NOTICE: A notice for this hearing was mailed to property owners and residents within 300 feet of the site, published in local

newspapers and posted in public areas near the subject property. During the public notice period, staff did not receive any response to the notification.

ATTACHMENTS: 1. Site Plan

ACRONYMS: AMC – Alameda Municipal Code
C-M Commercial Manufacturing

RECOMMENDATION:

Find that the project will not cause significant adverse effects to the physical environment, is Categorically Exempt from environmental review and approve the project with conditions based on the following findings:

FINDINGS:

- 1. The location of the proposed use is compatible with other land uses in the general neighborhood area, and the project design and size is architecturally, aesthetically, and operationally harmonious with the community and surrounding development.**

The outdoor uses and structures, as conditioned, will favorably relate to other property, uses and intensities in the vicinity and to the General Plan of the City and will not cause any damage, hazard, nuisance or other detriment to persons, property, historic resources or biological resources in the vicinity. The silo is a freestanding structure that will not alter the physical characteristics of the existing building, nor will the placement of the silo adjacent to the building impact the character defining features of the NAS Historic District. The Hangers Subarea of the NAS Historic District represents an area used by the U.S. Navy for the maintenance, restoration, and re-building of heavy machinery and aircraft. Large machinery, cranes, and even elevated water tanks and other silo-like structures were not uncommon in the District or in this sub area during the Navy's period as the owner and occupant of the area. The addition of a small seating area on the taxiway behind the building will not alter any of the character defining features of the Building as defined by the Guide to Preserving the Historic Character of the NAS Historic District. It should also be noted that both the seating area and the silo can be removed in the future without any permanent damage or change to the historic hanger. A single door is being replaced, but the original door will be preserved and stored on site.

Conditions of approval will ensure that the use of the outdoor seating area and the construction of the silo do not impact the endangered Least Tern colony.

- 2. The proposed use will be served by adequate transportation and service facilities, including pedestrian, bicycle and transit facilities.**

The property is fully developed with ample areas for parking and bicycle parking. Transit services are limited but available.

3. **The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity and will not have deleterious effects on existing business districts or the local economy.**

Conditions of approval will ensure that the facility will not adversely affect the Historic District or the endangered species.

4. **The proposed use relates favorably to the General Plan.**

The General Plan designation for this parcel is Mixed Use. The General Plan encourages manufacturing and other job generating uses at Alameda Point. The use will complement existing wine making and distillery uses immediately adjacent to the site.

Design Review:

1. **The proposed design is consistent with the General Plan, Zoning Ordinance, and the City of Alameda Design Review Manual.** The proposed design does not effect any of the character defining elements of the historic hanger or the N.A.S Historic District. The addition of the freestanding silo is consistent with the industrial manufacturing history of the naval air station hanger area.
2. **The proposed design is appropriate for the site, is compatible with adjacent or neighboring buildings or surroundings, and promotes harmonious transitions in scale and character in areas between different designated land uses.** The outdoor seating area is consistent with other temporary structures placed in the area by adjacent tenants. The silo facility is not unlike other large scale machinery and cranes that are compatible with the NAS Historic District.
3. **The proposed design of the structure(s) and exterior materials and landscaping are visually compatible with the surrounding development, and design elements have been incorporated to ensure the compatibility of the structure with the character and uses of adjacent development.** The materials used for the outdoor eating area and silo are compatible with the surrounding structures.

CONDITIONS:

1. The plans submitted for Use Permit shall be in substantial compliance with plans dated 7-30-12 by SLM on file in the office of the City of Alameda Community Development Department, except as modified by the conditions listed in this letter.
2. Building permit plans shall incorporate this approval notice, including the conditions of approval.
3. All new temporary exterior lighting fixtures shall be low intensity, directed downward and shielded to minimize offsite glare. During the Least Tern season, the lighting on the outdoor seating area shall not be used. Low security lighting will be allowed as needed for the duration of the use on a twenty-four hour basis
4. Any amplified sound shall not be audible from the adjacent properties. During the Least Tern season, no amplified sound shall be allowed on the outdoor seating area that is audible from the western boundary of the property.

5. All exterior changes to the building, including changes in paint color, shall be subject to review and approval of the Community Development Department, to ensure consistency with the NAS Historic District character defining features.
6. All garbage facilities shall be secured within the building or within a fenced area protected from access by raccoons or other potential Least Tern predators. In no circumstances will uncovered garbage, grain, refuse or other edible materials be placed outside the building in an open bin or can.
7. The final plans, submitted for building permit approval, shall conform to the Alameda Municipal Code.
8. Any substantial changes to the site plan shall be submitted to the Community Development Department for review and approval prior to construction.
9. Any doors, windows or other minor features removed from the building must be stored on site. .
10. Indemnification. The Applicant shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda, the Alameda City Planning Board and their respective agents, officers, and employees from any claim, action, or proceeding (including legal costs and attorney's fees) against the City of Alameda, Alameda City Planning Board, and their respective agents, officers, or employees to attack, set aside, void or annul, an approval by the City of Alameda, the Community Development Department, Alameda City Planning Board, the City of or City Council related to this project. The City shall promptly notify the Applicant of any claim, action, or proceeding and the City shall cooperate in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6

DECISION:

Environmental Determination

The Zoning Administrator has determined that this project is a Class 1 Categorical Exemption and no additional environmental review is necessary pursuant to CEQA Guidelines Section 15301 – Minor Modifications to Existing Facilities.

Use Permit Review

The Zoning Administrator approves the Use Permit and Design Review with conditions.

The decision of the Zoning Administrator shall be final unless appealed to the Planning Board, in writing and within ten (10) days of the decision.

Approved by: _____
Andrew Thomas, Zoning Administrator

Date: October 16, 2012